

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

2015 AUG -6 PM 3:41

CLERK   
SO. DIST. OF GA.

JEFFERY PONDE,

Plaintiff,

v.

CV 315-065

WILCOX STATE PRISON; R. GREEN,  
CERT Officer, Wilcox State Prison;  
FNU USSURY, CERT Officer, Wilcox  
State Prison,

Defendants.

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**ORDER**

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Plaintiff filed the above-captioned case in the Dublin Division of this Court even though all of the named defendants are located in Abbeville, Wilcox County, Georgia and the events in Plaintiff's complaint are alleged to have occurred in Wilcox County. (See doc no. 1, p. 4-6.) Because Wilcox County is situated in the Middle District of Georgia, the proper venue for this action is the Macon Division of the Middle District of Georgia, not the Southern District of Georgia. 28 U.S.C. § 1391(b).

In the interest of justice, instead of dismissing this action, the Court may transfer the case to the court in which venue would be proper. 28 U.S.C. § 1406(a). Because it appears that the case should have been filed in the Middle District of Georgia, transfer to that District is appropriate.

Therefore, the Court hereby **ORDERS** that the above-captioned case be **TRANSFERRED** to the United States District Court for the Middle District of Georgia, Macon

Division, for further consideration. The Court also **DIRECTS** the Clerk to forward the file to that district.

SO ORDERED this 17<sup>th</sup> day of August, 2015, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE